



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/349,735	07/08/1999	JAMES MCKEETH	5949-11	7062

7590 05/09/2003

Knobbe Martens Olson & Bear LLP
620 Newport Center Drive
Sixteenth Floor
Newport Beach, CA 92660

EXAMINER

CHUONG, TRUC T

ART UNIT	PAPER NUMBER
----------	--------------

2174

DATE MAILED: 05/09/2003

11

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/349,735

Applicant(s)

MCKEETH, JAMES

Examiner

Truc T Chuong

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10, 14-16 and 19-21 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- ☐ Interview Summary (PTO-413) Paper No(s) ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other:

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of Group I (claims 1-10, 14-16, and 21-22) in Paper No. 10 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-10, 14-16, and 19-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Slivka et al. (U.S. Patent No. 6,061,695).

As to claim 1, Slivka teaches a method for interacting with a computer so as to perform support functions, the method comprising the acts of:

forming a graphical user interface using a text markup language (synthesizes the view as a hypertext page, col. 6 lines 20-26 and fig. 2);

activating a user interactive control (activated software, col. 6 lines 41-53);

Art Unit: 2174

hooking onto a navigation control associated with the activated user interactive control (navigation toolbar, col. 10 lines 54-64); and

performing an initial action responsive to variables including: the user interactive control (interact, col. 5 lines 61-64 and col. 14 line 34-36), a uniform resource locator associated with the interactive control and the hypertext link target (col. 29 lines 20-35 and figs. 6 and 7).

As to claim 2, Slivka teaches the method of claim 1 wherein the text markup language is hypertext markup language (HTML, col. 18 lines 59-65 and elements 107 and 178 of fig. 7).

As to claim 3, Slivka teaches the method of claim 1 wherein the text markup language is Rich Text Formatting (element 178 is showed hypertext can be Bold and Underline).

As to claim 4, Slivka teaches the method of claim 1 wherein the target is RUN and the action causes a file designated by the uniform resource locator to execute (activating icons or hyperlinks, col. 10 lines 44-53).

As to claim 5, Slivka teaches the method of claim 1 wherein the target triggers an action comprising looking up the uniform resource locator in a database and executing a subsequent action specified in the database as relating to the uniform resource locator (system registry database, col. 9 lines 29-65).

As to claim 6, Slivka teaches the method of claim 5 wherein the subsequent action comprises installation of a software driver (install a control, col. 17 lines 16-24) .

As to claim 7, Slivka teaches the method of claim 5 wherein the subsequent action comprises execution of a routine to identify a device to install (tags, col. 17 lines 32-42).

Art Unit: 2174

As to claim 8, Slivka teaches the method of claim 1 wherein the action comprises execution of a disk image dialogue with a source specified in the uniform resource locator (Mwavtsr icon of the screen 180, fig. 7).

As to claim 9, Slivka teaches the method of claim 1 wherein the action comprises opening a folder specified in the uniform resource locator in a window (using URL, col. 17 lines 16-19).

As to claim 10, Slivka teaches the method of claim 1 wherein the uniform resource locator references an online document and the action generates a dynamic frameset and loads a first page of the document (figs. 6 and 7, display in order, col. 1 lines 30-49).

As to claim 14, this is a system claim of method claim 1. Note the rejection of claim 1 above.

As to claim 15, this is a system claim of method claim 5. Note the rejection of claim 5 above.

As to claim 16, this is a system claim of method claim 2. Note the rejection of claim 2 above.

As to claim 19, this is a computer program product claim of method claim 1. Note the rejection of claim 1 above.

As to claim 20, this is a computer program product claim of method claim 5. Note the rejection of claim 5 above.

As to claim 21, this is a computer program product claim of method claim 4. Note the rejection of claim 4 above.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Allport (U.S. Patent No. 6,104,334) teaches control navigation, HTML, URL, and download software (cols. 2-29 and figs. 1-18).

Brush, II et al. (U.S. Patent No. 5,982,372) teach URL, navigation, hypertext, and icons (cols. 2-8 and figs. 3-6).

Leshem et al. (U.S. Patent No. 5,870,559) teach control navigation, HTML, URL, download software, web browser, and Internet (cols. 1-32 and figs. 1-23).

Straub et al. (U.S. Patent No. 6,216,141 B1) teach HTML, URL, navigation, control, activate, and hypertext/hyperlink (cols. 1-16 and figs. 4-17).

Weinber et al. (U.S. Patent No. 6,144,962) teach URLs, web browser, navigation tool, and control (cols. 1-31 and figs. 2-23).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T Chuong whose telephone number is 703-305-5753. The examiner can normally be reached on M-F 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on 703-308-0640. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Art Unit: 2174

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Truc T. Chuong
May 5, 2003

Kristine Kincaid
KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100